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12 Attorneys for Plaintiff and Counterclaim Defendant
13 APPLIED SIGNAL TECHNOLOGY, INC. and
Third-Party Defendant COMTECH EF DATA, CORP.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17
18 APPLIED SIGNAL TECHNOLOGY, INC.

19 Plaintiff,

20 vs.

21 EMERGING MARKETS COMMUNICATIONS,
INC., EMC SATCOM TECHNOLOGIES, INC.,
22 PARADISE DATACOM, LLC, and VIASAT,
INC.,

23 Defendants.

24
25 AND RELATED COUNTERCLAIMS AND
THIRD PARTY CLAIMS
26

Case No. 09-CV-02180-SBA

**STIPULATED MOTION AND
ORDER FOR EXTENSION OF
DEADLINES AND
MODIFICATIONS TO CASE
MANAGEMENT CONFERENCE
SCHEDULE**

JURY TRIAL DEMANDED

1 Plaintiff and counter-defendant, APPLIED SIGNAL TECHNOLOGY, INC, third-party
 2 defendant and cross-claimant, COMTECH EF DATA CORP., and defendants PARADISE
 3 DATACOM, LLC, and defendant and counterclaimant VIASAT, INC. (collectively “the
 4 parties”) hereby stipulate and move the Court for an order modifying the dates set by the Case
 5 Management Scheduling Order of August 2, 2010, as set forth in the Proposed Order filed
 6 concurrently herewith.

7 The August 2, 2010 Case Management Scheduling Order sets September 8, 2010 as the
 8 last date to serve claim construction expert reports. The parties are requesting this modified
 9 schedule in order to establish September 22, 2010 as the due date for rebuttal reports to claim
 10 construction expert reports. The current schedule does not provide for claim construction
 11 rebuttal expert reports and all parties believe such reports will aid in claim construction. The
 12 parties also stipulate to extend by two days the date on which discovery relating to claim
 13 construction must be completed in light of the extra time needed for rebuttal expert reports. The
 14 parties request these modifications in order to accommodate the schedules of their respective
 15 experts. These modifications will not change the schedule for the *Markman* hearing and the
 16 parties believe they will pose no problem for the Court.

17 Accordingly, the parties collectively request that the Court modify the Case Management
 18 Scheduling Order, as modified on August 2, 2010, to adopt the dates as set forth in the Proposed
 19 Order.

20 Date: September 13, 2010 SANDERS & PARKS P.C.

21
 22 /s/Michelle Breit
 23 Michelle Breit
 24 Attorneys for Plaintiff
 25 APPLIED SIGNAL TECHNOLOGY
 26 And Third-Party Counterclaim Defendant
 COMTECH EF DATA, CORP.

1 Date: September 13, 2010

FISH & RICHARDSON P.C.

2
3 /s/ Christopher Marchese
Christopher Marchese
4 Attorneys for Defendants
PARADISE DATACOM, LLC
5 and VIASAT, INC.

6
7 **DECLARATION OF CONSENT**

8 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under
9 penalty of perjury that concurrence in the filing of this document has been obtained from
10 Christopher Marchese.

11 Date: September 13, 2010

SANDERS & PARKS P.C.


12
13 /s/ Michelle Breit
Michelle Breit
14 Attorneys for Plaintiff
15 APPLIED SIGNAL TECHNOLOGY
And Third-Party Counterclaim Defendant
16 COMTECH EF DATA, CORP
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ORDER

The Case Management Conference Schedule as modified by Order dated August 2, 2010, is hereby vacated. The following schedule is hereby adopted.

<u>EVENT</u>	<u>DATE</u>
Comtech's Initial Disclosure	June 16, 2010
Comtech's Document Production (Patent L.R. 3-4) due	July 9, 2010
Comtech's Invalidity Contentions (Patent L.R. 3-3) due	July 9, 2010
Comtech's Proposed Terms for Construction (Patent L.R. 4-1)	July 21, 2010
AST and ViaSat Proposed Terms for Construction (Patent L.R. 4-1)	July 21, 2010
5. Preliminary Claim Constructions (Patent L.R. 4-2) due	August 13, 2010
6a. Joint Claim Construction (Patent L.R. 4-3) due	September 1, 2010
6b. Claim Construction Expert reports (Patent L.R. 4-3) due	September 8, 2010
6c. <u>Rebuttals to Claim Construction Expert reports (Patent L.R. 4-3) due</u>	<u>September 22, 2010</u>
7. L/D for discovery relating to Claim Construction (Patent L.R. 4-4)	<u>October 1, 2010</u> (currently September 29, 2010)
8. Opening Claim Construction Brief (in compliance with Patent L.R. 4-5(a))	October 15, 2010
9. Opposing Claim Construction Brief(s) (in compliance with Patent L.R. 4-5(b)) due	November 4, 2010
10. Reply Claim Construction Brief(s) (in compliance with Patent L.R. 4-5 (c)) due	November 18, 2010
11. Tutorial and Claim Construction Hearing (in compliance with Patent L.R. 4-6)	January 20, 2011 at 9:00 a.m.
12. Further Case Management Conference	January 20, 2011 at 9:00 a.m.

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2 Dated: 9/14/10


SAUNDRA BROWN ARMSTRONG
JUDGE, UNITED STATES DISTRICT COURT